



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/147,036  
Applicant : Jochen MAURER  
Filed : December 15, 1998  
TC/A.U. : 1645  
Examiner : Vanessa L. Ford

Docket No. : 2923-108  
Customer No. : 06449  
Confirmation No. : 1165  
Title : EXPORT SYSTEMS FOR RECOMBINANT PROTEINS

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 3, 2005

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated November 3, 2004 rejecting the following claims: 1-3, 9-15, 19, 41, 43-53 and 55-59.

Applicant claims small entity status.

The fee for this Notice of Appeal is \$250.00.

A three-month extension of time is hereby requested from February 3, 2005 to May 3, 2005. Applicant paid a one month extension of time fee with the amendment filed March 3, 2005. Accordingly, the extension fee of \$510.00 is reduced by \$60.00 to \$450.00.

05/04/2005 SZEWDIE1 00000050 09147036

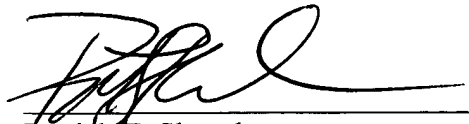
01 FC:2402  
02 FC:2253

250.00 DP  
450.00 DP

A check for \$700.00 is enclosed.

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-2135. An additional copy of this Notice is enclosed herewith

Respectfully submitted,



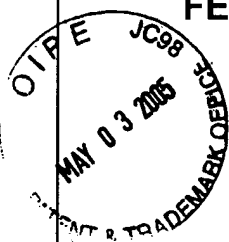
Date: May 3, 2005

Patrick T. Skacel  
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2923-108.noa

# **FEE TRANSMITTAL** for FY 2005

(Small Entity)



Complete if Known

Application Number 09/147036

Filing Date December 15, 1998

First Named Inventor Jochen MAURER

Examiner Name Vanessa L. Ford

Group Art Unit 1645

☒ Applicant claims small entity status

Attorney Docket Number 2923-108

Total Amount of Payment (\$700

Confirmation Number 1165

## **METHOD OF PAYMENT** (check one)

1. ☐ The Commissioner is hereby authorized to charge the fees indicated below or credit overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☒ Charge any additional fee required under 37 CFR 1.16 and 1.17 to Deposit Account No. 02-2135.

2. ☒ Payment by check enclosed

## **FEE CALCULATION** (continued)

### **4. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
1051	65	Surcharge - late filing fee or oath	[ ]
1052	50	Surcharge - late provisional filing fee or cover sheet	[ ]
1053	130	Non-English specification	[ ]
1812	2,520	For filing a request for reexamination	[ ]
1804	920	Requesting publication of SIR prior to Examiner action	[ ]
1805	1,840	Requesting publication of SIR after Examiner action (reduced by basic filing fee paid)	[ ]
1251	60	Extension for reply within first month	[ ]
1252	225	Extension for reply within second month	[ ]
1253	510	Extension for reply within third month	[450 (510 - 60)]
1254	795	Extension for reply within fourth month	[ ]
1255	1,080	Extension for reply within fifth month	[ ]
1401	250	Notice of Appeal	[250]
1402	250	Filing a brief in support of an appeal	[ ]
1403	500	Request for Oral Hearing	[ ]
1451	1,510	Petition to institute a public use proceeding	[ ]
1452	500	Petition to revive - unavoidable	[ ]
1453	1,500	Petition to revive - unintentional	[ ]
1807	50	Processing fee under 37 CFR 1.17(q)	[ ]
1806	180	Submission of Information Disclosure Statement	[ ]
1809	790	Filing a submission after final rejection (37 CFR 1.129(a))	[ ]
1810	790	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
1801	790	Request for Continued Examination (RCE)	[ ]
1802	900	Request for expedited examination of a design application	[ ]
1504	300	Publication fee for early, voluntary, or normal publication	[ ]
1505	300	Publication fee for republication	[ ]
1455	200	Filing application for patent term adjustment	[ ]
1456	400	Request for reinstatement of term reduced	[ ]
1814	65	Statutory Disclaimer	[ ]
Other fee (specify)			[ ]

## **FEE CALCULATION**

### **1. FILING, SEARCH AND EXAMINATION FEES**

Code	Fee	Fee Description	Fee Paid
1001	150	Utility Filing Fee	[ ]
	395	filed before Dec. 8, 2004	[ ]
1111	250	Utility Search Fee	[ ]
1311	100	Utility Examination Fee	[ ]
1002	100	Design Filing Fee	[ ]
	175	filed before Dec. 8, 2004	[ ]
1112	50	Design Search Fee	[ ]
1312	65	Design Examination Fee	[ ]
1003	100	Plant Filing Fee	[ ]
	275	filed before Dec. 8, 2004	[ ]
1113	150	Plant Search Fee	[ ]
1313	80	Plant Examination Fee	[ ]
1004	150	Reissue Filing Fee	[ ]
	395	filed before Dec. 8, 2004	[ ]
1114	250	Reissue Search Filing Fee	[ ]
1314	300	Reissue Examination Fee	[ ]
1005	100	Provisional Filing Fee	[ ]

**SUBTOTAL \$**

### **2. CLAIMS**

	Extra Claims	Fee	Fee Paid
Total Claims [ ] - 20* = [ ] x		\$25 = [ ]	
Independent Claims [ ] - 3* = [ ] x		100 = [ ]	
Multiple Dependent Claims +		180 = [ ]	

\*or number previously paid, if greater

**SUBTOTAL \$**

### **3. APPLICATION SIZE FEE**

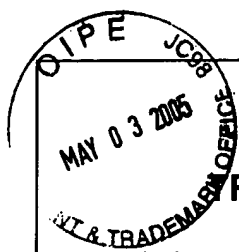
Total Sheets [ ] - 100 = [ ]/50 = [ ]\*\* x \$125 =

\*\* Number of each additional 50 or fraction thereof

**SUBTOTAL \$**

**SUBTOTAL \$700**

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER		Patrick T. Skacel, Reg. No. 47,948	
SIGNATURE	DATE	DEPOSIT ACCOUNT USER ID	
	May 3, 2005		

**TRANSMITTAL FORM***(to be used for all correspondence after initial filing)*

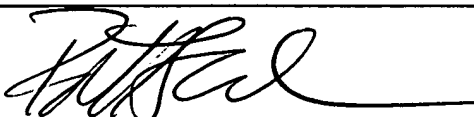
Application Number	09/147,036
Filing Date	December 15, 1998
First Named Inventor	Jochen MAURER
Examiner Name	Vanessa L. Ford
Group Art Unit	1645
Attorney Docket Number	2923-108

Total Number of Pages in This Submission 18

**ENCLOSURES (check all that apply)**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form   | <input type="checkbox"/> Assignment Papers                                | <input type="checkbox"/> After Allowance Communication to Group                                |
| <input checked="" type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)                                       | <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply   | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)     |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Other Enclosure(s) (please identify below):                           |
| <input checked="" type="checkbox"/> Extension of Time Request (See Fee Transmittal)                    | <input type="checkbox"/> Executed Declaration and Power of Attorney       |  |
| <input type="checkbox"/> Express Abandonment Request   | <input type="checkbox"/> Terminal Disclaimer                              |  |
| <input type="checkbox"/> Information Disclosure Statement, PTO-1449 Form and References                | <input type="checkbox"/> Request for Refund                               |  |
| <input type="checkbox"/> Translated Copy of Priority Document(s) & Transmittal                         | <input type="checkbox"/> CD, Number of CD(s)                              |  |
| <input type="checkbox"/> Response to Missing Parts of Nonprovisional Application under 37 CFR 1.53 (b) |   |  |

REMARKS:

SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER	Patrick T. Skacel Reg. No. 47,948				
SIGNATURE		DATE	May 3, 2005	DEPOSIT ACCOUNT USER ID	02-2135